

Department of Justice. Ms. Fisher, a native from Louisville, KY, is without question very well qualified to fill this position. As a fellow Kentuckian, it is an honor to address her nomination today, and I give her my full support.

I firmly believe that Ms. Fisher possesses the qualifications needed for this position. Her dedication and personal drive stand as an example to us all.

Ms. Fisher has served as Assistant Attorney General for over a year now. In this time she has coordinated with law enforcement agencies on a variety of issues, including antiterrorism prosecutions, public corruption cases, and child pornography cases.

Prior to this appointment, Ms. Fisher served within the Department of Justice managing both the Counterterrorism and Fraud Sections of the Department. In this time, she was responsible for coordinating the Department's national counterterrorism activities, including matters related to terrorist financing and the USA PATRIOT Act.

Throughout her tenure at the Department of Justice, Ms. Fisher has shown time and time again that she is a true leader and leads by example. Many of her colleagues testified before Congress this past year about her unwavering work habits and her true commitment to justice.

This is the type of leader that we need in our Government. I urge my colleagues across the aisle who have held up her nomination in the past to not let partisan politics get in the way this time. We need to move forward with her nomination. Not only does she have a proven record, but it was approved overwhelmingly by the Judiciary Committee, and now she deserves a fair up-or-down vote on the Senate floor.

I am confident that when she receives this vote that she will be confirmed, and I wish her continued success in her position.

Mr. SPECTER. Mr. President, I will yield back my time.

Mr. LEVIN. I yield back my time, also. I am willing to do that as Senator SPECTER has yielded his back. What time remains?

The PRESIDING OFFICER. The Senator from Vermont has 13 minutes. The minority leader has 59 minutes. The majority leader has 27 minutes.

Mr. LEVIN. I wonder if the Senator from Pennsylvania would agree that we can put in a quorum call and the time be deducted proportionally from all of the remaining speakers.

Mr. SPECTER. That is acceptable. Having set the vote at 5:45, we have given our colleagues ample notice. If somebody wants to speak in the next 14 minutes, they certainly would be at liberty to do that. My hunch is that we will have a quorum call for 14 minutes. The important thing is that we have finished the discussion on a reasonably harmonious note.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent that we proceed to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Alice S. Fisher, of Virginia, to be an Assistant Attorney General? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Minnesota (Mr. COLEMAN).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote "nay."

The PRESIDING OFFICER (Mr. CHAMBLISS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 61, nays 35, as follows:

[Rollcall Vote No. 251 Ex.]

YEAS—61

Alexander	Domenici	Murkowski
Allard	Dorgan	Nelson (NE)
Allen	Ensign	Pryor
Bayh	Enzi	Roberts
Bennett	Feingold	Salazar
Bond	Frist	Santorum
Brownback	Graham	Sessions
Bunning	Grassley	Shelby
Burns	Gregg	Smith
Burr	Hagel	Snowe
Chafee	Hatch	Specter
Chambliss	Hutchison	Stevens
Coburn	Inhofe	Sununu
Cochran	Isakson	Talent
Collins	Kyl	Thomas
Cornyn	Lincoln	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner
DeWine	McCain	
Dole	McConnell	

NAYS—35

Baucus	Feinstein	Mikulski
Biden	Harkin	Murray
Bingaman	Inouye	Nelson (FL)
Boxer	Jeffords	Obama
Byrd	Johnson	Reed
Cantwell	Kerry	Reid
Carper	Kohl	Rockefeller
Clinton	Lautenberg	Sarbanes
Conrad	Leahy	Schumer
Dayton	Levin	Stabenow
Dodd	Lieberman	Wyden
Durbin	Menendez	

NOT VOTING—4

Akaka	Kennedy
Coleman	Landrieu

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

I now request the opportunity to address the Senate under that provision.

The PRESIDING OFFICER. If the Senator will withhold just a minute, please.

Mr. WARNER. Yes, Mr. President, without losing my right to the floor.

The PRESIDING OFFICER. The President is notified of the Senate's action with respect to this nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate now returns to legislative session.

The Senator's request is agreed to. The Senator from Virginia is recognized.

PRAYER IN THE ARMED FORCES

Mr. WARNER. Mr. President, at the present time, the members of the Armed Services Committee of the Senate and the members of the Armed Services Committee of the House are in a conference. A great deal of confidentiality is attached to that procedure. I do not in any way intend to violate that confidentiality.

But before the conference—and this is not a matter of confidentiality—is a provision in the bill of the House of Representatives which is related to military chaplains. I will read from the House bill.

Each Chaplain shall have the prerogative to pray according to the dictates of the Chaplain's own conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.

That is the end of the proposed bill language. That is what I would like to address at this time.

I first want to say that the Senate has no such provision, and therefore we have to resolve the difference between the two bodies. The House of Representatives put this provision in during markup, which is the time they go over their bill. Another amendment was offered in that markup and rejected. It is referred to as follows: "Amendment to H.R. 5122, offered by Mr. Israel," Member of Congress, and it provides in section 590, which I just read, relating to military chaplains: at the end of the quoted matter inserted by each of the subsections (a), (b), (c), (d), and (e), insert the following: "except that chaplains shall demonstrate sensitivity, respect, and tolerance for all faiths present on each occasion at which prayers are offered".

I personally have not decided on what version I personally feel should

address this problem, so I remain of an open mind. But I remain very firmly of a mind that in the brief time that we have had an opportunity to look at it and examine it here on the Senate side, the time is inadequate to address an issue which I regard as of enormous importance. This is an issue that I would hope this Chamber would have the opportunity to discuss, whether to put into law a provision as proposed by the House or a provision as proposed by Mr. ISRAEL, a Member of Congress, which addresses the perspectives of this issue from a different angle. This is just an example of the diversity of views on this important issue.

Among the conferees—I cannot name names; I will not—there is a strong division, those in favor of certain language other than what is in the House bill. Some conferees think that the provision by Mr. ISRAEL should be included. So there is at this time just an enormous uncertainty among the conferees.

The House book that contains what we call report language, which is a very helpful instrument to try to explain the background of how provisions come into our legislation, trying to explain what some of the words mean, this book is silent. The only report language is a recitation, exactly, of the proposed bill language. So there is no guidance that Congress is providing on this important phrase.

I hasten to point out that, as is the case in just about all matters that we take up in the Armed Services Committee regarding the annual authorization bill, the Secretary of Defense transmits to us opinions that he has, on behalf of the Department, with regard to proposed legislation. I now will have printed in the RECORD what is entitled:

The Department of Defense Appeal, FY 2007 Defense Authorization Bill; Subject: Military Chaplains; Language/Provision: House section 590 established chaplains at each of the Military Services would have the prerogative to pray according to the dictates of their own conscience, except as must be limited by military necessity. The Senate included no similar provision.

The Department of Defense position is they oppose this provision. This reads as follows:

This provision could marginalize chaplains who, in exercising their conscience, generate discomfort at mandatory formations. Such erosion of unit cohesion is avoided by the Military's present insistence on inclusive prayer at interfaith gatherings—something the House legislation would operate against. The Department urges exclusion of this provision.

We have not decided as yet. But that is another dimension to the diversity of thinking on this very important provision.

As all Members in this body fully appreciate and understand, when a matter of this controversy comes along you are often singled out by a variety of people who disagree. I have not taken a position, but nevertheless I am being besieged by telephone, by

bloggers, by everything else—that I have taken this or that position. I will state momentarily what I think should be done. But I am very proud of my background.

I was blessed with two magnificent parents. We were active in the Episcopal Church, and I have remained active in that faith nearly all of my life, nearly 80 years now. My uncle was a rector of a very prominent parish here in Washington, DC, in the shadow of the Washington Cathedral where I was raised, not more than three blocks from his church, and I was a regular attendee of Sunday school through that. I am just sorrowful that people attack me personally, as if I had no religious foundation. I have that foundation.

I have had the privilege to serve in uniform. Not a career—and I have said it many times here on the floor of the Senate—of any great note, a very modest career, but as a young, 17, 18-year-old in the last year of World War II, just in the training command. We were trained to be replacements to go overseas to the Pacific. The war ended. We were sent home.

But many a time in the course of that period in military service, the second chapter, this time as a United States Marine, a young officer serving in Korea, the First Marine Air Wing, at a time when, indeed, certainly the infantry troops in the front lines, where I visited on occasion, were being subject to the most difficult combat under rigorous conditions in Korea, but I knelt and prayed many, many times with my fellow soldiers—men and women, fellow marines, fellow sailors.

So I speak as one who has benefited through the years from the religion that was instilled in me through my parents and the church of my choice, and it has given me a great strength to face up to the trials and tribulations that all of us experience in a lifetime.

I respect the chaplains. I went to chaplains on occasion, and I am grateful for the counseling that they gave me. So I say, I look back with a sense of humility on what the military has taught me. Many times have I said I don't think I would ever have achieved the opportunity to be a U.S. Senator had I not had the opportunity, the privilege of serving in uniform during the periods of two conflicts of our Nation and the learning that I received throughout the military. I have often said the military did more for me than I ever did for the military. But I just will stand my ground against anyone who wishes to challenge my religion.

Now, in my 28th year in this magnificent Chamber, many is the time I stood here as our Senate opens and listened to either our chaplain or a visiting clergy. Each of us have the privilege of inviting from our several States a visiting clergy to come and deliver a prayer. It is part of the life of the U.S. Senate. I know of no effort ever to try and censor or legislate the prayers given here in the Senate, either by our chap-

lain or by the many who come from all over America to give their prayers here. So I am not suggesting the military is like the Senate. But it is an example of the use of prayer.

The military is different. It is for that reason, that it is different, that I think it is important that we proceed to resolve such problems as may exist today in the military regarding how our chaplains pray, that we resolve that only after the institutions of the Senate and the House of Representatives go through a careful and deliberative process, not just try in the heat of resolving a conference report, in brief meetings here and there among just a very few—well, sometimes all the conferees, sometimes in small groups—trying to reconcile the differences between legislative provisions in the House bill and those in the Senate bill.

I would like to call our attention to the Constitution of the United States. It says:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

This is such a fundamental part of our democracy. It is a pillar of strength in this Republic. But it is constantly reviewed by the courts against the different factual situations that come up.

I think the military deserves no less than to have the most careful and deliberative review of this suggested language rather than to put it into law at this time. My recommendation—I will cooperate with the conferees—is that I am not prepared to take any position on how this language should be put into law or not put into law at this time. But I do say that I will strongly recommend to the Committee on Armed Services that the seriousness of this issue literally demands that as soon as the new Congress convenes in January, the committees of the Armed Services of the Senate and the House put on hearings at the earliest possibility. You could start with this language as recommended by the House of Representatives—the Senate has no language—to go through a process where people can come in.

For example, I asked each of the chiefs of the chaplains of the Army, Navy, and the Air Force to come in and speak to the conferees—there were only four conferees there at that time—which they did. I attached the utmost confidentiality as to what they said. But I was left with the impression that now is not the time to try to quickly put this one sentence into law by virtue of incorporating it into the final draft of the conference report. Those chaplains would be quite willing to come before the Congress in open session. Let the whole of the United States see this debate unfold, as it should.

Prayer is very important to the men and women of the Armed Forces. I remember so well the old maxim, “There

is no atheist in the foxholes of war." Military people, military families are heavily dependent upon the comfort that is given by prayer—prayer alone or prayer with others.

I urge this Congress not to do at this time this one sentence. I will read it again. I have difficulty, as many times as I have read it, understanding exactly what it means.

It says: Each chaplain shall have the prerogative to pray according to the dictates of the chaplain's own conscience except as must be limited by military necessity.

What is that? What is military necessity? We should define that very carefully. I continue:

With any such limitation being imposed in the least restrictive manner feasible.

That, to me, is a complicated sentence and a complicated message to put forth.

In conclusion, I will recommend to the conferees that at this time Congress not enact this bill language in the House, that we defer it to a time when the entire Senate and the entire House in open before the public invites in as many as we can possibly accommodate to give their views on the institution of the chaplain in the Armed Forces of the United States, an institution that I have known since the closing days of World War II and have known for over a half century and have seen it function and have seen it work. Before we change those rules, I think we owe no less to the men and women in the Armed Forces to have these deliberative bodies of the House and Senate have their hearings, debate the language, and then decide whether they wish or not to write language that in many respects we were admonished by the Founding Fathers to be careful, at least at the most under the First Amendment.

In addition, some of the concern—and I think it is a legitimate concern—of those proposing this language emanates from actions taken by the Department of the Air Force, the Department of the Navy, and I believe—I have not seen it—the Department of the Army in issuing certain guidance. The guidance was issued recently about this subject of prayer and other matters relating to the chaplain.

I will not go into it, but I will put in today's RECORD the documents that were issued by several military departments. You can read it for yourselves.

I think that we should put in report language in our bill two things: First, that the Secretary of Defense will stay—that means hold in abeyance—enforcement of these newly promulgated regulations until such time as the Congress has had an opportunity to hold its hearings, go through a deliberative process, and then decide whether it wishes to act by way of sending a conference report to the President for purposes of becoming the law of the land.

So it is twofold: let the system of the chaplain, which has been operating for

my lifetime, half a century, serving the needs of the men and women of the Armed Forces, continue to do as they have done but stand down any regulations until studied by this coequal branch of the Government, which under the Constitution has a very special language provision that says we have a responsibility to care for the needs in general of the men and women of the Armed Forces. That is what the conference report does.

I am hopeful that the conferees will see the wisdom of this action, let this bill go forward to the President's desk so it can become law, and it can care for the men and women of the Armed Forces.

That will be written in report language. It does not have the force of law. But I am basically assured by the Department of Defense that they will comply; stay for the time being the most recent regulations, whatever they wish to call them, that have been sent out to their respective commands until Congress has had a reasonable time within which to decide whether they feel it is necessary to prepare for the President's signature a new law.

Mr. President, I ask unanimous consent that additional materials regarding this subject be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY
SECNAV INSTRUCTION 1730.7C

d. Chaplains

(1) Chaplains are Qualified Religious Ministry Professionals (RMPs) endorsed by a Department of Defense (DOD)—listed Religious Organization (RO) and commissioned as CHC officers.

(2) As a condition of appointment, every RMP must be willing to function in a pluralistic environment in the military, where diverse religious traditions exist side-by-side with tolerance and respect. Every RMP must be willing to support directly and indirectly the free exercise of religion by all military members of the DON, their family members, and other persons authorized to be served, in cooperation with other chaplains and RMPs. Chaplains are trained to minister within the specialized demands of the military environment without compromising the tenets of their own religious tradition.

(3) In providing religious ministry, chaplains shall strive to avoid the establishment of religion to ensure that free exercise rights are protected for all authorized personnel.

(4) Chaplains will provide ministry to those of their own faith, facilitate ministry to those of other faiths, and care for all service members, including those who claim no religious faith. Chaplains shall respect the rights of others to their own religious beliefs, including the right to hold no beliefs.

(5) Chaplains advise commands in matters of morale, morals, ethics, and spiritual well-being. They also serve as the principal advisors to commanders for all issues regarding the impact of religion on military operations.

(6) Chaplains are non-combatants. Chaplains are not authorized to obtain weapons qualifications, warfare qualifications, or bear arms; however, chaplains who attained weapons or warfare qualifications during prior service as a combatant are authorized

to wear their awards and/or warfare qualifications. Chaplains are eligible to qualify for and to wear the insignia of qualification designations such as Fleet Marine Force, Basic Parachutist, and Navy/Marine Parachutist.

6. Responsibilities of Commanders

a. Commanders shall provide a Command Religious Program (CRP) in support of religious needs and preferences of the members of their commands, eligible family members and other authorized personnel. The CRP is supported with appropriated funds at a level consistent with other personnel programs within DON.

b. Chaplains will not be compelled to participate in religious activities inconsistent with their beliefs.

c. Commanders retain the responsibility to provide guidance for all command functions. In planning command functions, commanders shall determine whether a religious element is appropriate. In considering the appropriateness for including a religious element, commanders, with appropriate advice from a chaplain, should assess the setting and context of the function; the diversity of faith that may be represented among the participants; and whether the function is mandatory for all hands. Other than Divine/Religious Services, religious elements for a command function, absent extraordinary circumstances, should be non-sectarian in nature. Neither the participation of a chaplain, nor the inclusion of a religious element, in and of themselves, renders a command function a Divine Service or public worship. Once a commander determines a religious element is appropriate, the chaplain may choose to participate based on his or her faith constraints. If the chaplain chooses not to participate, he or she may do so with no adverse consequences. Anyone accepting a commander's invitation to provide religious elements at a command function is accountable for following the commander's guidance.

d. Commanders shall, when in a combat area, only assign, detail, or permit chaplains, as non-combatants under the Geneva Convention, to perform such duties as are related to religious ministry under Art. 1063 of reference (b).

e. Commanders shall not assign chaplains collateral duties that violate the religious practices of the chaplain's religious organization or that require services in a capacity in which the chaplain may later be called upon to reveal privileged or sensitive information.

f. Commanders shall not assign chaplains duties to act as director, solicitor, or treasurer of funds, other than administrator of a Religious Offering Fund; or serve on a court-martial; or stand watches other than that of duty chaplain.

U.S. ARMY

Army Chaplains & Military/Patriotic Ceremonial Prayer: How does the Army Chief of Chaplains address chaplains and Military/Patriotic Ceremonial Prayer?

AR 1651-1, Chaplain Activities in the United States Army, has several pertinent statements. Paragraph. 1-4 a. reads, "In, striking a balance between the 'establishment' and 'free exercise' clauses the Army chaplaincy, in providing religious services and ministries to the command, is an instrument of the U.S. Government to ensure that soldier's religious 'free exercise' rights are protected. At the same time, chaplains are trained to avoid even the appearance of any establishment of religion." Paragraph 4-4h. reads, "Military and patriotic ceremonies may require a chaplain to provide an invocation, reading, prayer, or benediction. Such occasions are not to be considered religious

services. Chaplains will not be required to offer a prayer, if doing so would be in variance with the tenets or practices of their faith group."

Chaplains provide prayer within worship services governed by the tenets of their faith. Chaplains also provide prayer in public ceremonies which are patriotic/military (sometimes called secular). The former are completely voluntary; the latter are often required functions at which all manner of people are present. It is at these non-worship ceremonies that the Chaplains must consider their obligations to assist every Soldier to pray.

There is no Army regulatory guidance prohibiting an individual from praying or directing an individual to pray in any specific manner. AR 165-1 is intended to strike a balance between a Chaplain's right to freely express his or her own personal religious beliefs and the Chaplain's duty to ensure that every Soldier is afforded his or her "free exercise" rights under the Constitution.

Pluralism and religious accommodation are trained throughout the Chaplain life cycle with the bulk of the subject matter conveyed in the foundation courses at the Chaplain Officer Basic Course. AR 165-1 is the reference for this training.

The Army Chief of Chaplains sees no reason to provide additional guidelines concerning Chaplains and public prayer since AR 165-1 is sufficient.

The Army Chief of Chaplains will not dictate how an Army Chaplain performs his or her prayer. Chaplains are trained and expected to use good judgment when addressing pluralistic audiences at public, non-worship ceremonies.

U.S. AIR FORCE

REVISED INTERIM GUIDELINES CONCERNING FREE EXERCISE OF RELIGION IN THE AIR FORCE

We are sworn to support and defend the Constitution of the United States. In taking our oath we pledge our personal commitment to the Constitution's protections for free exercise of religion and its prohibition against government establishment of religion.

We will remain officially neutral regarding religious beliefs, neither officially endorsing nor disapproving any faith belief or absence of belief. We will accommodate free exercise of religion and other personal beliefs, as well as freedom of expression, except as must be limited by compelling military necessity (with such limitations being imposed in the least restrictive manner feasible). Commanders should ensure that requests for religious accommodation are welcomed and dealt with as fairly and consistently as practicable throughout their commands. They should be approved unless approval would have a real, not hypothetical, adverse impact on military readiness, unit cohesion, standards, or discipline. Avoidance of schedule conflicts between official activities and religious observances can enhance unit effectiveness and demonstrate mutual respect.

Chaplain service programs are the responsibility of commanders. Chaplains impartially advise commanders in regard to free exercise of religion, and implement programs of religious support and pastoral care to help commanders care for all their people, including opportunities for free exercise of individual beliefs. We will respect the rights of chaplains to adhere to the tenets of their religious faiths and they will not be required to participate in religious activities, including public prayer, inconsistent with their faiths.

Leaders at every level bear a special responsibility to ensure their words and actions cannot reasonably be construed to be officially endorsing nor disapproving any

faith belief or absence of belief. In official circumstances or when superior/subordinate relationships are involved, superiors need to be sensitive to the potential that personal expressions may appear to be official, or have undue influence on their subordinates. Subject to these sensitivities, superiors enjoy the same free exercise rights as all other airmen.

Voluntary participation in worship, prayer, study, and discussion is integral to the free exercise of religion. Nothing in this guidance should be understood to limit the substance of voluntary discussions of religion, or the exercise of free speech, where it is reasonably clear that the discussions are personal, not official, and they can be reasonably free of the potential for, or appearance of, coercion.

Public prayer should not imply Government endorsement of religion and should not usually be a part of routine official business. Mutual respect and common sense should always be applied, including consideration of unusual circumstances and the needs of the command. Further, non-denominational, inclusive prayer or a moment of silence may be appropriate for military ceremonies or events of special importance when its primary purpose is not the advancement of religious beliefs. Military chaplains are trained in these matters.

General rules regarding use of Government computers apply to personal religious matters as they do for other personal matters. Chaplain programs will receive communications support as would comparable staff activities.

These guidelines are consistent with the responsibility of commanders to maintain good order and discipline, and are consistent with the core values of the Air Force: integrity first; service before self; and excellence in all we do.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On March 8, 2006, in Savannah, GA, David Bennett was attacked by five men outside a local gay bar. According to police, Sidney Swift, one of the alleged attackers, made several antigay remarks towards Bennett while in police custody. Swift's motivation for attacking Bennett was based solely on his sexual orientation.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

TRIBUTE TO BEN CHATER

Mr. LEAHY. Mr. President, in my 32 years as a U.S. Senator, I have met

many extraordinary people. They have included Presidents, Kings and Nobel laureates, artists, soldiers, nurses, activists, and ordinary Americans who are doing any number of wonderful, selfless, and courageous things for their families, their communities, and their country. Some of these people chose careers in public service. Others were leading normal, uneventful lives when they were unexpectedly confronted with circumstances that caused them to become leaders. Many have simply lived inconspicuous lives caring for others. And then there are those who have struggled to overcome unfair and seemingly impossible hurdles and in doing so have shown a force of character and spirit that breaks barriers and inspires awe among everyone they meet.

Ben Chater, a Vermonter who interned in my office several years ago during the summer after his sophomore year at the University of California at Berkeley, is in the latter category. Born with cerebral palsy, Ben has faced obstacles from birth that the rest of us could not even imagine, much less overcome. He has done so with amazing grace, courage, and good humor, and his accomplishments are nothing short of awe inspiring. Ben's refusal to let his disability prevent him from taking on practically any challenge has been an example for me and my wife Marcelle, for my staff, and for virtually everyone who has come into contact with him.

I have little doubt that Ben will continue to set ambitious goals and in reaching them he will demonstrate even further the incredible capacity of the human spirit to overcome adversity. He will also continue to erase the stereotypes and misconceptions about the potential of people with disabilities.

Ben was recently the subject of an article in the Vermont Sunday Magazine by Tom Slayton, who is also the editor of Vermont Life, and I ask unanimous consent that it be printed in the RECORD so others can be inspired by Ben's life and accomplishments.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Vermont Sunday Magazine, September 10, 2006].

"IN AWE OF BEN"—BEN CHATER, 23, WITH CEREBRAL PALSY, FINISHES BERKELEY, PREPARES FOR LIFE'S NEXT CHALLENGE

(By Tom Slayton)

This is the story of a fine mind living in a body that won't cooperate.

Ben Chater, 23, of Montpelier has had cerebral palsy since birth. Due to a difficult birth, Ben's brain was deprived of oxygen for a few moments. As a result, he has a major disability—he has limited control over movements of his limbs, or the rest of his body.

He requires assistance with everyday living—getting dressed in the morning, eating a meal, taking a shower. He speaks with some difficulty and requires a motorized wheelchair to get around.

However, Ben's mind is complete and undamaged. In fact, he is extremely bright.